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SIPDIS

SENSITIVE

DEPARTMENT FOR EAP/BCLTV, DRL, DRL/PHD, and DRL/IRF

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SUBJECT: Vietnam Human Rights Dialogue

Ref: STATE 123409

11. (SBU) Summary: Ambassador delivered reftel demarche to Deputy Foreign Minister Le Van Bang on May 13 and left a non-paper based on reftel para 12. Ambassador stressed that progress on issues raised at the November 2002 Human Rights Dialogue was insufficient to schedule another dialogue, nor did Vietnam appear to be doing enough to avoid designation as a Country of Particular Concern (CPC). Without progress through the dialogue, Ambassador warned, Vietnam risked stronger action and greater support for measures such as the Vietnam Human Rights bill. Although DFM Bang reaffirmed the usefulness of the dialogue, he noted that it is a U.S. initiative and that many in the GVN would be happy if it ceased. The Ambassador pointedly replied that, while the dialogue may originally have been a U.S. initiative, it would not be good for Vietnam or US-Vietnam relations if the dialogue were dropped since it would only lead to greater support for stronger action against the GVN like the VN Human Rights bill. Bang took the point. He also hinted that Father Nguyen Van Ly's sentence could be reduced or lifted, and voiced interest in continuing discussions of the other points. End Summary.

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Ambassador: If it's just talk, you won't like the alternative.  
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12. (SBU) Ambassador informed DFM Bang that there must be significant progress on the issues discussed during the Human Rights Dialogue in order to justify its continuation and to avoid CPC designation for Vietnam. Since Vietnam appears to be moving so slowly on human rights issues, both are real dangers.

13. (SBU) Ambassador praised some positive steps that the GVN has taken. Thich Huyen Quang's meeting with the Prime Minister was important and his current relative freedom of movement is welcome. His recent activities during his trip to Ho Chi Minh City, meetings with city authorities and with his colleague Thich Quang Do are also good signs and should be allowed to continue. Other events Ambassador mentioned include the opening of the Protestant theological school in Ho Chi Minh City, the appointment of new Catholic Bishops, and the emigration of actor Don Duong.

14. (SBU) Ambassador pointed out that there seems to have been no action on other issues raised at the Human Rights Dialogue. He highlighted several individuals imprisoned for what appears to be nothing more than the expression of their own opinions, including Father Nguyen Van Ly, Le Chi Quang and a number of journalists. He noted that Thich Quang Do is still under detention and asked for clarification of Thich Huyen Quang's status.

15. (SBU) Ambassador reminded DFM Bang that the problems of Vietnamese religious groups are closely monitored in the U.S. He urged that Central Highlands churches closed from 2001-2002 be allowed to reopen and that Central Highlands churches be allowed to join the Evangelical Church of Vietnam - South, if they wished. Likewise, he called upon the GVN to allow Protestant churches in the Northwest Highlands to join the Evangelical Church of Vietnam - North. While acknowledging a significant upsurge in legal religious practice, Ambassador stated that the Highlands seem to be an exception. There appears to be a common, but false, suspicion that Protestantism is a cover for separatism. Ambassador recounted that a Highlands province leader had told him that minorities who converted to Protestantism were "betraying their traditions." Such unjustified attitudes seem to contribute to great problems for Protestants.

16. (SBU) Ambassador emphasized the benefits to Vietnam for approaching human rights through a dialogue between governments. As in China, the dialogue is a way to demonstrate to Congress and outside observers how the USG, as well as the GVN, are working on human rights. If progress can be achieved through dialogue, there is little reason to resort to stronger measures. However, Ambassador reminded DFM Bang, observers, including those with the Department, question the point of a dialogue without results

and support for tougher and more public methods is building. Ambassador also noted that Vietnam suffers in comparison to China because the Chinese have become adept at taking advantage of the dialogues to produce sufficient results to dissipate pressure for more serious actions.

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DFM Bang: It was your idea, but it's not a bad one.  
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17. (SBU) DFM Bang remarked that the U.S.-Vietnam Human Rights Dialogue was a U.S. initiative, that it had always been difficult for the MFA to get permission to participate, and that the MFA had worked hard to get other ministries to participate in the last dialogue. He said that Vietnam had several other human rights dialogues and that such dialogues should benefit relationships. He remarked that he understood that the U.S. dialogue was to satisfy the concerns of "certain constituencies" in the U.S. If the U.S. decided not to continue the dialogue, there would be those in the GVN who would be "more than happy." While the dialogue was mutually beneficial, it was "more necessary" for the U.S., DFM Bang claimed.

18. (SBU) Responding to the persons of concern Ambassador raised, DFM Bang said that such issues had to be decided on an individual basis -- some would be successful -- others would have to wait. DFM Bang voiced surprise with Thich Huyen Quang's recent treatment and commented that the Buddhist leader is "almost a hero." He claimed that there had not been any restrictions on Thich Huyen Quang. DFM Bang suggested that a factor in the Buddhist leader's changed situation was that his first-ever trip to Hanoi had been an eye-opener and given him a better appreciation of the situation for Buddhist followers and monks in the North.

19. (SBU) DFM Bang pointed out that in December 2002, Senator McCain had spoken both to Deputy Prime Minister Nguyen Tan Dung and to Bang on behalf of Don Duong.

110. (SBU) Father Nguyen Van Ly's "thinking is progressing," according to what DFM Bang said he had heard. (Note: "Reform" on the part of the prisoner is required for sentence reduction or amnesty. End note.) He added that he "hoped for a breakthrough," in response to USG and Congressional calls for Father Ly's freedom or a shortened sentence.

111. (SBU) There is "no problem with religion," according to DFM Bang, because one may worship and practice religion as one chooses in Vietnam. Only when religion is used for other purposes, such as by the "Dega Protestants" do problems arise. He claimed that there would be no problem for those who wanted to join either the southern or northern Evangelical Churches, although it was necessary to distinguish "observing" religion from "abusing" it. Life in the Central Highlands was improving and there was room for religion, but not if it was connected to Kok Ksor. He added that it was remarkable that there was harmony between Vietnam's six major religions because this is not always the case between overseas Vietnamese Buddhists and Catholics, for instance. Finally, he expressed hope that Vietnam would establish relations with the Vatican soon.

112. (SBU) DFM Bang repeated that if the U.S. did not want to pursue the dialogue, that was acceptable to Vietnam. The Ambassador pointedly noted that to stop the dialogue would only lead to greater pressure within the U.S. to take stronger measures against the SRV and that it was thus to Vietnam's interest to find ways to maintain the dialogue. Bang took the point and agreed that the dialogue was useful. He noted that the GVN learns from and improves its understanding of the U.S. through the dialogue; also, the GVN does make improvements based on the dialogue. He added that the dialogue allows detailed discussion -- that cannot be accomplished through demarches -- of a whole range of human rights issues.

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DFM Bang: The alternative is not good.  
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113. (SBU) The GVN had noticed the Department's opposition to the Vietnam Human Rights bill, DFM Bang said. If the bill passed, he predicted, it would anger "veterans and hardliners" damaging relations and impacting on MIA, trade, and humanitarian issues. The bill would serve only the interests of a small group of Vietnamese Americans, he remarked.

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Comment  
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114. (SBU) DFM Bang appeared to take to heart that a productive human rights dialogue is better than an unending series of public confrontations. He is probably the best

person in the GVN to articulate this message to his colleagues both because he understands it and because he appears to be committed to improving the overall relationship. He recalled that he was involved in the first U.S.-Vietnam Human Rights Dialogue in 1993. Major challenges lie in whether he can focus enough attention outside the MFA to achieve some progress, whether the GVN's tortuous consensus-based decision-making process can achieve prompt results, and whether there is sufficient political will to overcome the opposition of those who are wedded to Vietnam's closed systems and are suspicious of US motives. Embassy and ConGen will continue to push for improvements, particularly in areas laid out in reftel, but we are not confident that we will see progress on more than a few of the points in the next six months.

BURGHARDT